

AMENDED IN ASSEMBLY APRIL 28, 2010

AMENDED IN ASSEMBLY APRIL 12, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1967

Introduced by Assembly Member Mendoza

(Coauthors: Assembly Members Ammiano, Brownley, and Torlakson)

February 17, 2010

An act to amend, repeal, and add Sections 48000 and 48010 of the Education Code, relating to pupil admission.

LEGISLATIVE COUNSEL'S DIGEST

AB 1967, as amended, Mendoza. Pupil admission: kindergarten and first grade.

(1) Existing law requires that a child be admitted to kindergarten at the beginning of a school year, or at any time later in the same year if the child will have his or her 5th birthday on or before December 2 of that school year. An elementary school is required to admit a child to the first grade during the first month of a school year if the child will have his or her 6th birthday on or before December 2 of that school year.

This bill would change the required birthday for admission to kindergarten to September 1 commencing with the 2012–13 school year, and for admission to first grade to September 1 commencing with the 2013–14 school year. The bill, commencing with the 2012–13 school year, would authorize a child who will have his or her 5th birthday between September 2 1 and December 2 to be admitted to a ~~prekindergarten~~ *transitional kindergarten program, as defined, that is* maintained by the school district and would require the Superintendent

of Public Instruction to allocate to a school district that maintains a ~~prekindergarten~~ *transitional kindergarten* program an amount equal to the revenue limit amount that the district would have received for the attendance of these pupils if they would have been eligible to attend kindergarten that year pursuant to the law governing admission to kindergarten as it read on January 1, 2012. To the extent those changes establish new administrative duties on the governing boards of school districts in implementing the changes, they would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48000 of the Education Code is amended
2 to read:

3 48000. (a) A child shall be admitted to a kindergarten at the
4 beginning of a school year, or at any later time in the same year if
5 the child will have his or her fifth birthday on or before December
6 2 of that school year.

7 A child who will have his or her fifth birthday on or before
8 December 2 may be admitted to the prekindergarten summer
9 program maintained by the school district for pupils who will be
10 enrolling in kindergarten in September.

11 (b) The governing board of any school district maintaining one
12 or more kindergartens may, on a case-by-case basis, admit to a
13 kindergarten a child having attained the age of five years at any
14 time during the school year with the approval of the parent or
15 guardian, subject to the following conditions:

16 (1) The governing board determines that the admittance is in
17 the best interests of the child.

1 (2) The parent or guardian is given information regarding the
2 advantages and disadvantages and any other explanatory
3 information about the effect of this early admittance.

4 (c) This section shall become inoperative on July 1, 2012, and,
5 as of January 1, 2013, is repealed, unless a later enacted statute,
6 that becomes operative on or before January 1, 2013, deletes or
7 extends the dates on which it becomes inoperative and is repealed.

8 SEC. 2. Section 48000 is added to the Education Code, to read:

9 48000. (a) Commencing with the 2012–13 school year, a child
10 shall be admitted to a kindergarten at the beginning of a school
11 year, or at any later time in the same year if the child will have his
12 or her fifth birthday on or before September 1 of that school year.

13 (b) (1) Commencing with the 2012–13 school year, a child may
14 be admitted at the beginning of a school year or at any later time
15 in that same year to a ~~prekindergarten~~ *transitional kindergarten*
16 maintained by a school district if the child will have his or her fifth
17 birthday between September 2 1 and December 2 of that school
18 year. The Superintendent shall allocate to a school district that
19 maintains a ~~prekindergarten~~ *transitional kindergarten* program
20 pursuant to this subdivision an amount equal to the revenue limit
21 amount that would have been allocated to the district for the
22 kindergarten attendance of these pupils if they would have been
23 eligible to attend kindergarten pursuant to this section as it read
24 on January 1, 2012. Pupils who attend a ~~prekindergarten~~
25 *transitional kindergarten* program pursuant to this subdivision are
26 eligible to attend a kindergarten program the following school
27 year, as specified in subdivision (a).

28 (2) *For purposes of this section, “transitional kindergarten*
29 *program” means year one of a two-year kindergarten program*
30 *using a modified kindergarten curriculum.*

31 (c) The governing board of any school district maintaining one
32 or more kindergartens may, on a case-by-case basis, admit to a
33 kindergarten a child having attained the age of five years at any
34 time during the school year with the approval of the parent or
35 guardian, subject to the following conditions:

36 (1) The governing board determines that the admittance is in
37 the best interests of the child.

38 (2) The parent or guardian is given information regarding the
39 advantages and disadvantages and any other explanatory
40 information about the effect of this early admittance.

1 SEC. 3. Section 48010 of the Education Code is amended to
2 read:

3 48010. (a) A child shall be admitted to the first grade of an
4 elementary school during the first month of a school year if the
5 child will have his or her sixth birthday on or before December
6 2nd of that school year. For good cause, the governing board of a
7 school district may permit a child of proper age to be admitted to
8 a class after the first school month of the school term.

9 (b) This section shall become inoperative on July 1, 2013, and,
10 as of January 1, 2014, is repealed, unless a later enacted statute,
11 that becomes operative on or before January 1, 2014, deletes or
12 extends the dates on which it becomes inoperative and is repealed.

13 SEC. 4. Section 48010 is added to the Education Code, to read:

14 48010. Commencing with the 2013–14 school year, a child
15 shall be admitted to the first grade of an elementary school during
16 the first month of a school year if the child will have his or her
17 sixth birthday on or before September 1 of that school year. For
18 good cause, the governing board of a school district may permit a
19 child of proper age to be admitted to a class after the first school
20 month of the school term.